

BOARD OF REGENTS FOR ELEMENTARY
AND SECONDARY EDUCATION

MINUTES OF MEETING
JANUARY 9, 2003

A meeting of the Board of Regents for Elementary and Secondary Education was held at the Shepard Building, 255 Westminster Street - Providence, RI 02903 and convened at 5:04 p.m.

In Attendance:

J. DiPrete, J. Gaines, C. Callahan, P. Guida, H. Gallo, M. Mancieri and J. Gonzalez

Public Remarks

James D'Ambra, the principal of the Perry Middle School in Providence spoke to the Board about his concerns about how the schools have been categorized based on the state assessment results. He said that Perry had not received any notice about being labeled as a "failing school", i.e., low performing, non-improving before it was reported by the Providence Journal. He spoke about the detrimental affect on the school's teachers, staff and students. He requested that the Regents ask Senate and House legislators to amend the NCLB Act so those failing schools are not identified publicly. He also requested that the Regents/Department convene a state-wide summit to address middle school problems and that legislation be passed to address middle school reform, including funding for professional development, after-school programs, extended school day, etc.

Chairman Remarks

The Chairman reported on the meeting with newly elected Governor Carcieri and the Commissioner. He also reported that he had attended a 2-day SAELP conference with the Commissioner and board member Patrick Guida. Chairman DiPrete also told members that Board member Vidal Perez had resigned from the Board.

Approval of Minutes

MOVED AND SECONDED: That the Regents approve the minutes of the December 12, 2002 meeting as presented.

VOTE: Unanimous

Approval of High School Regulations

Chairman of the Regents Committee on High School Regulations, Colleen Callahan, briefly reviewed the 18-month history of the drafting of the

regulations including an overview of the process; the various education constituents that had participated in the original drafting of the regulations and the follow-up comments on the regs.

Board of Regents
Meeting Minutes of
January 9, 2003
Page 2 of 4

She requested that the Regents recommend adoption of the regulations, as presented in DRAFT 1.11, with the following revisions:

- Re: section 5.3 - Use of statewide assessment results for high school graduation. Added: "State assessments should not be the sole grounds to prohibit promotion or graduation from high school **and shall not represent more than 10 percent of all the weighted factors contributing to promotion or graduation.**" Ms. Callahan told members that while the committee felt that statewide assessments should be counted in some way, they wanted to limit the tests impact on promotion or graduation.
- Re: section 5.4 - "The Commissioner **shall approve** all district graduation requirements..." Changes "**review**" to "**approve**".

Regent Guida requested that Legal Counsel Jennifer Wood comment on provision 5.3 - Role of state assessment results for high school graduation. The provision does not allow state assessments to be "...the sole grounds to prohibit promotion or graduation...", however Mr. Guida asked how the provision would be interpreted if a district wanted to use the state assessment as the determining factor for graduation (or proof of competency) in place of a required course; or would that action "run a foul" of the provision that the assessment results could not be used more than 10% of the total weight of all of the factors.

Ms. Wood, Legal Counsel for the Department said that because the 10% relates to graduation, any one course would never have more than a 10% impact on the overall requirements of a student's graduation, therefore she felt confident that the district could use the state assessment as a substitute. However, as to the issue of promotion, she suggested that the Board preserve the record of this conversation to guide any school district who requests an opinion letter on this issue in the future; that it was not intended that these regulations restrict the use of the state assessment to prove competency in any area.

Regent Mancieri requested that as questions and problems are raised by various districts and constituency groups that the Regents leave open an opportunity to discuss the regulations further. The Chairman assured the Board that guidance would be forthcoming from the Department through the work of the Regents High School Restructuring Committee with department staff.

Board of Regents
Meeting Minutes of
January 9, 2003
Page 3 of 4

MOVED AND SECONDED: THAT, the Board of Regents Approve the Regulations of the Board of Regents for Elementary and Secondary Education Regarding Public High Schools and Ensuring Literacy for Students Entering High Schools, as amended and recommended by the High School Restructuring Committee.

VOTE: Approved Unanimously.

Approval of the RFP for Supplemental Services

The Commissioner explained that the context of this RFP is the NCLB Act. The states are required to approve the vendors that will be providing supplemented services to children, as requested by parents.

(Rep. Crowley arrived at 5:59 p.m.)

RIDE staff member, Midge Sabatini reviewed the RFP, in detail. She reviewed the "Provider Profile", the responsibilities of the provider, responsibilities of the school district, funding, monitoring, reporting, and application process and timeline.

Members of the Board discussed if providers have to be certified – not required by the NCLB Act, however, Ms. Sabatini said that certification of teachers could be used as one of the criteria for approval. The group focused much of their discussion on the monitoring aspects of the RFP, specifically who (state, district or schools) would be responsible for monitoring changes in personnel (from certified personnel to non-certified) and performance. There was an extended discussion about how often a provider would have to report personnel and program changes to local districts.

Board members expressed their concerns about funding the supplemental services, facilities to house services and transportation. The group also discussed the notion of providers providing statewide services versus services exclusive to one local district.

The group also discussed how an individual could be a provider agreeing that they would have to be incorporated.

The Commissioner reminded the group that approval of the RFP would only allow a provider to be placed on a statewide provider list. The Regents would not be certifying vendors performance.

Board of Regents
Meeting Minutes of
January 9, 2003
Page 4 of 4

MOVED AND SECONDED: THAT, the Board of Regents Approve the RFP for Supplemental Services Providers, as amended.

VOTE: Approved Unanimously.

(Regent Gonzalez left at 6:40 p.m.)

Budget Update

The Commissioner reminded Board members that the Regents have sent over the education budget without accepting the budget “rules”, as imposed. The Department has reviewed the budget with the State budget officer and the message is that they “understand and accept” the Regents message.

Governor Carcieri's people are operating under Governor Almond's rules for the time being; however, Governor Carcieri will be reviewing the issue.

Commissioner's Report

- He will be meeting with the Secretary of Education on Rhode Island's implementation of the No Child Left Behind Act on 9/15/03. Chairman DiPrete will also be attending along with one of Governor Carcieri's representatives.

Executive Session

There was no Executive Session.

Adjournment

With unanimous consent, the meeting adjourned at 7:05 p.m.

Regent Guida requested that Legal Counsel Jennifer Wood comment on provision 5.3 - Role of state assessment results for high school graduation. The provision does not allow state assessments to be "...the sole grounds to prohibit promotion or graduation...", however Mr. Guida asked how the provision would be interpreted if a district wanted to use the state assessment as a substitute demonstration for determining competency (for graduation) for a student who was unsuccessful in passing a required course; or would that action "run a- foul" of the provision that the assessment results could not be used more than 10% of the total weight of all of the factors?

Ms. Wood said that they (she and Mr. Guida) had briefly discussed this issue before the meeting, and at that time her response was that..." because the 10% relates to graduation, that any one course would never have more than a 10% impact on the overall dossier of a student's report for graduation so she felt confident that as to graduation that would be the case. However, as to promotion she suggested that we preserve this conversation on the record of this evening's meeting because if it is not the intent of the regents to have that impact Regent Guida has described, then I think if we preserve that here, then we will be covered by that and that if in the future any school district were to ask this department for an opinion letter on that and guidance; it would be clear that it was the intent of the regents that the state assessment material can be used to demonstrate competency, let's say in the area of a mathematics course, it's the 10th grade math assessment and that it was not intended that these regulations restrict that.